

103D CONGRESS  
1ST SESSION

# H. J. RES. 48

To provide for the establishment of a Joint Committee on Intelligence.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SOLOMON introduced the following joint resolution; which was referred to  
the Committee on Rules

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## JOINT RESOLUTION

To provide for the establishment of a Joint Committee on  
Intelligence.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled,*

3       **SECTION 1. ESTABLISHMENT.**

4       There shall be established, at the beginning of the  
5       first Congress beginning after the date of the enactment  
6       of this joint resolution, a Joint Committee on Intelligence  
7       (hereafter in this resolution referred to as the “joint com-  
8       mittee”).

9       **SEC. 2. MEMBERSHIP.**

10       (a) APPOINTMENT.—

1           (1) IN GENERAL.—The joint committee shall be  
2       composed of seven Members of the Senate and seven  
3       Members of the House of Representatives to be ap-  
4       pointed as follows:

5           (A) Four members of the Senate from the  
6       majority party and three Members of the Sen-  
7       ate from the minority party shall be appointed  
8       by the President pro tempore of the Senate, in-  
9       cluding at least one but not more than two  
10      members from each of the following committees:  
11      the Committee on Armed Services and the  
12      Committee on Foreign Relations.

13          (B) Four members of the House of Rep-  
14      resentatives from the majority party and three  
15      Members of the House of Representatives from  
16      the minority party shall be appointed by the  
17      Speaker of the House, including at least one  
18      but not more than two members from each of  
19      the following committees: the Committee on  
20      Armed Services and the Committee on Foreign  
21      Affairs.

22          (2) EX OFFICIO MEMBERS.—The majority lead-  
23      er and minority leader of the House of Representa-  
24      tives and the majority leader and minority leader of  
25      the Senate shall be ex officio members of the joint

1 committee, but shall have no vote in the joint com-  
2 mittee and shall not be counted for purposes of de-  
3 termining a quorum.

4 (b) LENGTH OF SERVICE ON JOINT COMMITTEE.—

5 (1) GENERAL RULE.—Members of the joint  
6 committee shall be appointed to six year terms.

7 (2) EXCEPTIONS.—(A) Of the members of the  
8 joint committee initially appointed, two Members  
9 from the Senate, one from each party, and two  
10 Members of the House of Representatives, one from  
11 each party, shall be appointed to a term of two  
12 years.

13 (B) Of the members of the joint committee ini-  
14 tially appointed, two Members from the Senate, one  
15 from each party, and two Members of the House of  
16 Representatives, one from each party, shall be ap-  
17 pointed to a term of four years.

18 (3) LIMITATIONS ON CONTINUOUS SERVICE.—

19 (A) Except as provided in subparagraph (B), the  
20 maximum period of continuous service for a Member  
21 of Congress on the joint committee shall be six  
22 years.

23 (B)(i) A member who begins service on the  
24 joint committee as a replacement for a member who  
25 has more than three years remaining in his term

1       may serve continuously only for the remainder of  
2       such term.

3           (ii) A member who begins service on the joint  
4       committee as a replacement for a member who has  
5       less than three years remaining in his term may  
6       serve continuously for the remainder of such term  
7       plus one subsequent six year term.

8           (iii) A member appointed to a term described in  
9       paragraph (2) may serve continuously only for the  
10      remainder of such term.

11      (c) VACANCIES.—Vacancies in the membership of the  
12     joint committee shall not affect the power of the remaining  
13     members to execute the functions of the joint committee,  
14     and shall be filled in the same manner as in the case of  
15     the original appointment, for terms as provided in sub-  
16     section (b).

17      (d) CHAIRMAN AND VICE CHAIRMAN.—The joint  
18     committee shall have a chairman and a vice chairman. The  
19     vice chairman shall act in the place and stead of the chair-  
20     man in the absence of the chairman. The chairmanship  
21     and the vice chairmanship of the joint committee shall al-  
22     ternate between the Senate and the House of Representa-  
23     tives with each session of a Congress. The chairman dur-  
24     ing each odd-numbered year shall be selected by the Mem-  
25     bers of the House of Representatives on the joint commit-

tee from among their number and the chairman during each even-numbered year shall be selected by the Members of the Senate on the joint committee from among their number. The vice chairman during each session of a Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

(e) QUORUM.—Eight members of the joint committee shall constitute a quorum for reporting any recommendation.

**SEC. 3. DUTIES.**

(a) JURISDICTION.—The joint committee shall exercise exclusive legislative jurisdiction with respect to—

(1) any intelligence or counterintelligence activity conducted by any intelligence-gathering agency or department of the Federal Government; and

(2) authorizations for appropriations, both direct and indirect, for—

(A) the Central Intelligence Agency and Director of Central Intelligence;

(B) the Defense Intelligence Agency;

(C) the National Security Agency; and

(D) the intelligence, counterintelligence, and intelligence-related activities of other agencies and departments of the Federal Govern-

1           ment, including the Department of Defense, the  
2           Department of State, and the Federal Bureau  
3           of Investigation.

4           (b) OVERSIGHT OF INTELLIGENCE ACTIVITIES.—The  
5           joint committee shall review and study on a continuing  
6           basis any intelligence or counterintelligence activity con-  
7           ducted by any agency or department of the Federal Gov-  
8           ernment.

9           **SEC. 4. POWERS.**

10          (a) GENERAL POWERS.—The joint committee, or any  
11          duly authorized subcommittee thereof, is authorized to sit  
12          and act at such places and times during the sessions, re-  
13          cesses, and adjourned periods of the Congress, to require  
14          by subpoena the attendance of such witnesses and the pro-  
15          duction of such books, papers, and documents, to admin-  
16          ister such oaths and affirmations, to take such testimony,  
17          to procure such printing and binding, and to make such  
18          expenditures, as it considers advisable.

19          (b) SUBPOENAS.—Subpoenas may be issued over the  
20          signature of the chairman of the joint committee or of any  
21          member designated by the chairman or by the joint com-  
22          mittee to the extent the chairman or such member is au-  
23          thorized by a majority of the joint committee to issue such  
24          subpoenas, and may be served by any person designated  
25          by such chairman or member.

1 (c) OATHS OR AFFIRMATIONS.—The chairman of the  
2 joint committee or any member thereof may administer  
3 oaths or affirmations to witnesses.

4 **SEC. 5. RULES OF JOINT COMMITTEE.**

5 The joint committee shall establish and carry out  
6 such rules and procedures as it considers necessary and  
7 appropriate—

8 (1) respecting its organization and procedures;

9 (2) to classify information originating within  
10 the joint committee, and the records of the joint  
11 committee, in accordance with standards used gen-  
12 erally by the executive branch of the Federal Gov-  
13 ernment for the classification of information;

14 (3) to prevent the unauthorized disclosure, out-  
15 side the joint committee, of any information in the  
16 possession of the joint committee;

17 (4) to censure or expel from the joint committee  
18 a member of the joint committee found to be respon-  
19 sible for the unauthorized disclosure of any informa-  
20 tion in the possession of the joint committee, with  
21 adequate time for appeal by such member to the  
22 House of Congress of which such member is a Mem-  
23 ber;

24 (5) to recommend to the Senate or the House  
25 of Representatives, as the case may be, that a mem-

1       ber of the joint committee found to be responsible  
2       for the unauthorized disclosure of any information in  
3       the possession of the joint committee be censured or  
4       expelled by the Senate or the House of Representa-  
5       tives;

6           (6) to make any information in the possession  
7       of the joint committee available to any other com-  
8       mittee or Member of the Congress;

9           (7) to seek authority, after written notification  
10      to the President and a one week period for the  
11      President to respond to the Congress, from the Sen-  
12      ate and the House of Representatives for the disclo-  
13      sure of sensitive information if the joint committee  
14      finds such disclosure to be in the National interest;

15          (8) to appoint, prescribe the duties and respon-  
16      sibilities of, fix the pay of, require appropriate secu-  
17      rity clearances for, and establish conditions for the  
18      termination of employment of, professional staff  
19      members and clerical staff members; and

20          (9) to govern the manner in which information  
21      and records of the joint committee shall be used by  
22      the staff.

23   **SEC. 6. PROHIBITION AGAINST DISCLOSURE BY MEMBER.**

24      No Member of Congress who, and no committee  
25      which, receives any information from the joint committee



1 shall disclose such information without proper authoriza-  
2 tion, except in a closed session of the House of Represent-  
3 atives or the Senate.

4 **SEC. 7. EXPENSES.**

5       The expenses of the joint committee shall be paid  
6 one-half from the contingent fund of the House of Rep-  
7 resentatives and one-half from the contingent fund of the  
8 Senate, from funds appropriated for the joint committee,  
9 upon vouchers approved by the chairman of the joint com-  
10 mittee.

11 **SEC. 8. REFERENCES TO INTELLIGENCE COMMITTEES.**

12       Any reference in law to the Select Committee on In-  
13 telligence of the Senate or to the Permanent Select Com-  
14 mittee on Intelligence of the House of Representatives  
15 shall, after the establishment of the joint committee, be  
16 considered to be a reference to the joint committee.

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